

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
 )  
 MUR 6160 ) CASE CLOSURE UNDER THE  
 SCOTT PACE AND ) ENFORCEMENT PRIORITY  
 THE STATE PARK PEACE OFFICERS ) SYSTEM  
 ASSOCIATION OF CALIFORNIA )

**GENERAL COUNSEL'S REPORT**

Under the Enforcement Priority System, matters that are low-rated

are

forwarded to the Commission with a recommendation for dismissal. The Commission has determined that pursuing low-rated matters compared to other higher-rated matters on the Enforcement docket warrants the exercise of its prosecutorial discretion to dismiss these cases. The Office of General Counsel scored MUR 6118 as a low-rated matter.

In this matter, the complainant, Paul Satkowski of the California Statewide Law Enforcement Association ("CSLEA") alleges that respondent State Park Peace Officers Association of California ("SPPOAC") reimbursed one of its members, respondent Scott Pace, for a \$200 contribution he made to the Steve Filson for Congress Committee. Specifically, in the course of conducting a routine audit of its affiliates, CSLEA discovered that one of its affiliate organizations, SPPOAC, reimbursed Scott Pace for one federal and six non-federal campaign contributions.<sup>1</sup>

In his response, Scott Pace acknowledged receiving a \$200 reimbursement for his contribution to the Steve Filson for Congress Committee, which he made on April 6, 2006. Mr. Pace noted that he received a lump sum check from SPPOAC for the reimbursement of

<sup>1</sup> The seven reimbursed contributions consisted of: \$200 to the Steve Filson for Congress Committee; a total of \$1,000 to the Phil Angelides for Governor Committee; \$200 to the Westly for Governor Committee; and \$100 to the Garamendi for Lt. Governor Committee.

various expenses, including portfolios, mugs, and the federal campaign contribution at issue. Furthermore, Mr. Pace states that immediately upon learning of the reimbursement he remitted \$200 to SPPOAC on February 9, 2009.

In light of the remedial taken by respondent Scott Pace and the de minimis amount at issue in this matter, and in furtherance of the Commission's priorities and resources, relative to other matters pending on the Enforcement docket, the Office of General Counsel believes that the Commission should exercise its prosecutorial discretion and dismiss this matter. *See Heckler v. Chaney*, 470 U.S. 821 (1985). Additionally, this Office recommends that respondents Scott Pace and the State Park Peace Officers Association of California be cautioned that the reimbursement of the federal campaign contribution at issue in this matter was a potential violation of 2 U.S.C. § 441f.


**RECOMMENDATION**

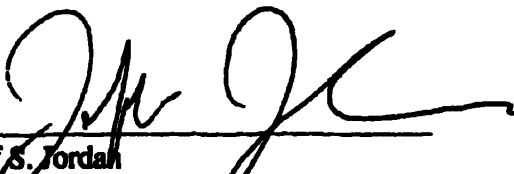
The Office of General Counsel recommends that the Commission dismiss MUR 6160, send a cautionary notification to Scott Pace and the State Park Peace Officers Association of California, close the file, and approve the appropriate letters.

Thomasenia P. Duncan  
General Counsel

4/1/09  
Date

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